

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0901.01 Jerry Barry x4341

HOUSE BILL 25-1298

HOUSE SPONSORSHIP

Carter and Richardson,

SENATE SPONSORSHIP

Exum and Michaelson Jenet,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING JUDICIAL PERFORMANCE COMMISSIONS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes the twenty-third judicial district commission on judicial performance on December 1, 2025, and specifies the initial terms for members of the commission. The bill repeals outdated provisions concerning the terms of members of judicial commissions.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 **SECTION 1.** In Colorado Revised Statutes, 13-5.5-104, **amend**
2 (3)(a) introductory portion and (4)(a) introductory portion; **repeal** (3)(b),
3 (3)(c), (4)(b), and (4)(c); and **add** (4.5) as follows:

4 **13-5.5-104. State commission on judicial performance -**
5 **district commissions on judicial performance - established -**
6 **membership - terms - immunity - conflicts - repeal.** (3) (a) The state
7 commission consists of eleven members appointed ~~on or before March 1,~~
8 ~~2019~~, as follows:

9 (b) ~~The terms of state commissioners appointed prior to January~~
10 ~~31, 2019, shall continue until such time as his or her term was originally~~
11 ~~set to expire; except that the term of the two nonattorneys appointed by~~
12 ~~the chief justice of the supreme court pursuant to subsection (2)(a)(IV) of~~
13 ~~this section expires on January 31, 2019.~~

14 (c) ~~This subsection (3) becomes effective February 1, 2019.~~

15 (4) (a) Each district commission consists of ten members
16 appointed ~~on or before March 1, 2019~~, as follows:

17 (b) ~~The terms of district commissioners appointed prior to January~~
18 ~~31, 2019, shall continue until such time as his or her term was originally~~
19 ~~set to expire; except that the following commissioners' terms expire on~~
20 ~~January 31, 2019:~~

21 (I) ~~The two nonattorneys appointed by the chief justice of the~~
22 ~~supreme court pursuant to subsection (2)(a)(IV) of this section; and~~

23 (II) ~~The attorney appointed by the governor pursuant to subsection~~
24 ~~(2)(a)(III) of this section.~~

25 (c) ~~This subsection (4) becomes effective February 1, 2019.~~

26 (4.5) (a) THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION ON
27 JUDICIAL PERFORMANCE, REFERRED TO IN THIS SUBSECTION (4.5) AS THE

1 "TWENTY-THIRD JUDICIAL DISTRICT COMMISSION", IS ESTABLISHED ON
2 DECEMBER 1, 2025. MEMBERS OF THE TWENTY-THIRD JUDICIAL DISTRICT
3 COMMISSION ARE APPOINTED PURSUANT TO SUBSECTION (4)(a) OF THIS
4 SECTION; EXCEPT THAT A PERSON SERVING AS A MEMBER OF THE
5 EIGHTEENTH JUDICIAL DISTRICT COMMISSION ON JUDICIAL PERFORMANCE
6 DURING 2025 WHO RESIDES WITHIN THE TWENTY-THIRD JUDICIAL DISTRICT
7 MAY BE APPOINTED TO SERVE ON THE TWENTY-THIRD JUDICIAL DISTRICT
8 COMMISSION, AND IF SUCH A PERSON IS APPOINTED, THE PERSON'S TERM ON
9 THE TWENTY-THIRD JUDICIAL DISTRICT COMMISSION CONTINUES FOR THE
10 REMAINDER OF THE TERM TO WHICH THE PERSON WAS ORIGINALLY
11 APPOINTED FOR THE EIGHTEENTH JUDICIAL DISTRICT COMMISSION ON
12 JUDICIAL PERFORMANCE.

13 (b) NOTWITHSTANDING SUBSECTION (5)(a) OF THIS SECTION, THE
14 INITIAL TERMS OF THE FOLLOWING MEMBERS OF THE TWENTY-THIRD
15 JUDICIAL DISTRICT COMMISSION EXPIRE ON NOVEMBER 30, 2027:

16 (I) THE NONATTORNEY APPOINTED BY THE SPEAKER OF THE HOUSE
17 OF REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(I) OF THIS
18 SECTION;

19 (II) THE NONATTORNEY APPOINTED BY THE MINORITY LEADER OF
20 THE HOUSE OF REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(III) OF
21 THIS SECTION;

22 (III) THE NONATTORNEY APPOINTED BY THE PRESIDENT OF THE
23 SENATE PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION;

24 (IV) ONE OF THE ATTORNEYS APPOINTED BY THE CHIEF JUSTICE OF
25 THE SUPREME COURT PURSUANT TO SUBSECTION (4)(a)(V) OF THIS
26 SECTION AS DESIGNATED BY THE CHIEF JUSTICE; AND

27 (V) ONE OF THE NONATTORNEYS APPOINTED BY THE GOVERNOR

1 PURSUANT TO SUBSECTION (4)(a)(VI) OF THIS SECTION AS DESIGNATED BY
2 THE GOVERNOR.

3 (c) THE INITIAL TERMS OF THE FOLLOWING MEMBERS OF THE
4 TWENTY-THIRD JUDICIAL DISTRICT COMMISSION EXPIRE ON NOVEMBER 30,
5 2029:

6 (I) THE ATTORNEY APPOINTED BY THE SPEAKER OF THE HOUSE OF
7 REPRESENTATIVES PURSUANT TO SUBSECTION (4)(a)(I) OF THIS SECTION;

8 (II) THE ATTORNEY APPOINTED BY THE PRESIDENT OF THE SENATE
9 PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION;

10 (III) THE NONATTORNEY APPOINTED BY THE MINORITY LEADER OF
11 THE SENATE PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS SECTION;

12 (IV) ONE OF THE ATTORNEYS APPOINTED BY THE CHIEF JUSTICE OF
13 THE SUPREME COURT PURSUANT TO SUBSECTION (4)(a)(V) OF THIS
14 SECTION AS DESIGNATED BY THE CHIEF JUSTICE; AND

15 (V) ONE OF THE NONATTORNEYS APPOINTED BY THE GOVERNOR
16 PURSUANT TO SUBSECTION (4)(a)(VI) OF THIS SECTION AS DESIGNATED BY
17 THE GOVERNOR.

18 (d) DURING 2025, MEMBERS OF THE EIGHTEENTH JUDICIAL
19 DISTRICT COMMISSION ON JUDICIAL PERFORMANCE SERVING ON THE
20 EFFECTIVE DATE OF THIS SUBSECTION (4.5) SHALL CONDUCT THE INTERIM
21 EVALUATIONS PURSUANT TO SECTION 13-5.5-109 FOR JUDGES OF BOTH THE
22 EIGHTEENTH JUDICIAL DISTRICT AND THE TWENTY-THIRD JUDICIAL
23 DISTRICT.

24 (e) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2028.

25 **SECTION 2. Safety clause.** The general assembly finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.